



Public Safety Committee Meeting Commission Chamber - 10/13/2014

ATTENDANCE:

Present: Hons. Mason, Chairman; Harris, Vice Chairman; Smith, member.

Absent: Hons. Deke Copenhaver, Mayor; Lockett, member.

PUBLIC SAFETY

1. Discuss backup services for city's computer servers. (Requested by Commissioner Marion Williams) **Item Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve addressing the policy changes regarding the retrieval of information on city computers in the Personnel Policies and Procedures Manual, to provide information regarding the technical aspects in order to prevent a similar occurrence from happening in the future and bring this back to the committee for review. Motion Passes 3-0.	Commissioner Louis Harris	Commissioner Grady Smith	Passes

2. Discuss the downtown parking meter proposal. (Requested by Commissioner Marion Williams) (Referred from September 16 Commission meeting) (Referred from September 29 Public Safety Committee) **Item Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve holding two public hearings in the next sixty days to discuss a downtown parking meter management plan with times and dates to be forthcoming and with information on capital costs and revenues regarding parking and enforcement to be provided. Motion Passes 3-0.	Commissioner Louis Harris	Commissioner Grady Smith	Passes

3. Presentation by Judge Richard A. Slaby regarding Sentinel Offender Services Contract. **Item Action:** Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve. Motion Passes 3-0.	Commissioner Grady Smith	Commissioner Louis Harris	Passes

4. Motion to approve the minutes of the Public Safety Committee held on September 29, 2014. **Item Action:** Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve. Motion Passes 3-0.	Commissioner Grady Smith	Commissioner Louis Harris	Passes

5. Motion to approve an ordinance to amend the Augusta, Georgia Code Title Four, Chapter One, Article Two, Section 4-1-16 related to definitions; Section 4-1-19 related to Collar and rabies vaccination required tags; Section 4-1-21 related to Duty of Owners to Keep Animal Under Control; Section 4-1-26 related to Abandonment of Animals; Section 4-1-27 related to Cruelty to Animals; Section 4-1-29 related to Disposal of Dead Animals and Fowl; Section(s) 4-1-36 thru 4- **Item Action:** None

1-50 reserved section related to the creation of new section 4-1-36 thru 4-1-46; to Provide Licensing and Sterilization of Certain Animals; and section 4-1-53 related to Impoundment of Straying Livestock; and to repeal all code sections and ordinances and parts of code sections and ordinances in conflict.

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Grady Smith	Commissioner Alvin Mason	Other

No action is taken on this motion due to the passage of the substitute motion.

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Substitute motion to approve with a fee schedule being provided to the Commission. Motion Passes 3-0.	Commissioner Louis Harris	Commissioner Grady Smith	Passes

6. Motion to approve agreement with TestDay Corporation to provide third party hosted software and licensing to use TesDay software for the purpose of establishing effective drug screening in the Accountability Court program. **Item Action:** Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Unanimous consent is given to add this item to the agenda.			

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve subject to approval of final contract negotiations by the Commission on October 21.. Motion Passes 4-0.	Commissioner Grady Smith	Commissioner Louis Harris	Passes



**Public Safety Committee Meeting
10/13/2014 1:10 PM
Attendance 10/13/14**

Department:

Caption:

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:



**Public Safety Committee Meeting
10/13/2014 1:10 PM
Computer Backup Services**

Department: Clerk of Commission

Caption: Discuss backup services for city's computer servers. (Requested by Commissioner Marion Williams)

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:



**Public Safety Committee Meeting
10/13/2014 1:10 PM
Downtown Parking Meter Proposal**

Department:

Caption: Discuss the downtown parking meter proposal. (**Requested by Commissioner Marion Williams**) (**Referred from September 16 Commission meeting**) (**Referred from September 29 Public Safety Committee**)

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:

AGENDA ITEM REQUEST FORM

Commission meetings: First and third Tuesdays of each month – 2:00 p.m.

Committee meetings: Second and last Mondays of each month – 12:45 to 1:05 p.m.

Commission/Committee: (Please check one and insert meeting date)

<input type="checkbox"/>	Commission	Date of Meeting	<input type="text"/>
<input checked="" type="checkbox"/>	Public Safety Committee	Date of Meeting	10/13/2014
<input type="checkbox"/>	Public Services Committee	Date of Meeting	<input type="text"/>
<input type="checkbox"/>	Administrative Services Committee	Date of Meeting	<input type="text"/>
<input type="checkbox"/>	Engineering Services Committee	Date of Meeting	<input type="text"/>
<input type="checkbox"/>	Finance Committee	Date of Meeting	<input type="text"/>

Contact Information for Individual/Presenter Making the Request:

Name: Judge Richard A. Slaby

Address: 735 James Brown Blvd., Suite 4105, Augusta, GA 30901

Telephone Number: (706) 821-2582

Fax Number: (706) 821-1177

E-Mail Address: rslabby@augustaga.gov

Caption/Topic of Discussion to be placed on the Agenda:

Sentinel Offender Services Contract

Please send this request form to the following address:

Ms. Lena J. Bonner

Clerk of Commission

Room 806 Municipal Building

530 Greene Street

Augusta, GA 30901

Telephone Number: 706-821-1820

Fax Number: 706-821-1838

E-Mail Address: lbonner@augustaga.gov

Requests may be faxed, e-mailed or delivered in person and must be received in the Clerk's Office no later than 5:00 p.m. on the Wednesday preceding the Commission meeting and 5:00 p.m. on the Tuesday preceding the Committee meeting of the following week. A five-minute time limit will be allowed for presentations.



**Public Safety Committee Meeting
10/13/2014 1:10 PM
Judge Richard Slaby**

Department: Clerk of Commission

Caption: Presentation by Judge Richard A. Slaby regarding Sentinel
Offender Services Contract.

Background:

Analysis:

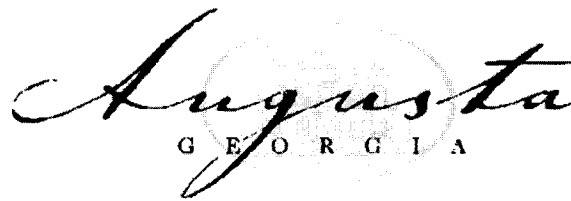
Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:



Public Safety Committee Meeting Commission Chamber - 9/29/2014

ATTENDANCE:

Present: Hons. Mason, Chairman; Harris, Vice Chairman; Smith and Lockett, members.

Absent: Hon. Deke Copenhaver, Mayor.

PUBLIC SAFETY

1. Motion to approve extending Animal Services hours of operation, and to update fee collection structure, and the creation of a new Adoption Coordinator position, responsible for managing adoption policies and Rescheduled procedures. **Item Action:**

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve receiving this item as information.	Commissioner Grady Smith	Commissioner William Lockett	Other

No action is taken on this motion due to the passage of the substitute motion.

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Defer	Substitute motion to refer this item to the full Commission without a recommendation. Motion Passes 4-0.	Commissioner William Lockett	Commissioner Grady Smith	Passes

2. Discuss the downtown parking meter proposal. (Requested by Commissioner Marion Williams) (Referred from September 16 Commission meeting) **Item Action:**
Rescheduled

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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Defer	Motion to refer this item to the next committee meeting. Motion Passes 4-0.	Commissioner William Lockett	Commissioner Grady Smith	Passes
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3. Approve Technical Services Audio Visual to perform system upgrades and necessary cabling to improve functionality and reliability of the Audio Visual systems at the Judicial Center Court Rooms. **Item Action:** Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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Approve	Motion to approve. Motion Passes 4-0.	Commissioner Grady Smith	Commissioner William Lockett	Passes
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4. Motion to approve the minutes of the Public Safety Committee held on August 11, 2014. **Item Action:** Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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Approve	Motion to approve. Motion Passes 4-0.	Commissioner Grady Smith	Commissioner William Lockett	Passes
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5. Receive as information the salary structure for the staff at the Richmond County Correctional Institution. Presented by Warden Evan Joseph. **Item Action:** Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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Motion to approve the item with the inclusion of the

Warden and Deputy
Warden in the proposal
subject to staff bringing
back the financial
numbers' impact to the full
Commission for final
approval.
Motion Passes 4-0.

Approve

Commissioner
William
Lockett

Commissioner
Louis Harris

Passes

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**Public Safety Committee Meeting
10/13/2014 1:10 PM
Minutes**

Department: Clerk of Commission

Caption: Motion to approve the minutes of the Public Safety Committee held on September 29, 2014.

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE AUGUSTA, GEORGIA CODE TITLE FOUR, CHAPTER ONE, ARTICLE TWO, SECTION 4-1-16 RELATED TO DEFINITIONS; SECTION 4-1-19 RELATED TO COLLAR AND RABIES VACCINATION REQUIRED TAGS; SECTION 4-1-21 RELATED TO DUTY OF OWNERS TO KEEP ANIMAL UNDER CONTROL; SECTION 4-1-26 RELATED TO ABANDONMENT OF ANIMALS; SECTION 4-1-27 RELATED TO CRUELTY TO ANIMALS; SECTION 4-1-29 RELATED TO DISPOSAL OF DEAD ANIMALS AND FOWL; SECTION(S) 4-1-36 THRU 4-1-50 RESERVED SECTION RELATED TO THE CREATION OF NEW SECTION 4-1-36 THRU 4-1-46; TO PROVIDE LICENSING AND STERILIZATION OF CERTAIN ANIMALS; AND SECTION 4-1-53 RELATED TO IMPOUNDMENT OF STRAYING LIVESTOCK; TO REPEAL ALL CODE SECTIONS AND ORDINANCES AND PARTS OF CODE SECTIONS AND ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE AN EFFECTIVE DATE AND FOR THE OTHER PURPOSES PROVIDED HEREIN.

WHEREAS, the Augusta, Georgia Commission finds that unintended or uncontrolled breeding of dogs and cats within Augusta-Richmond County leads to the births of unwanted puppies, kittens, dogs, and cats that become strays, suffer deprivation and danger, and that may constitute public hazards, and are impounded and euthanized at great expense to the community. Augusta, Georgia further finds and declares that the ownership of pets entails responsibility on the part of the owners, and that it may adopt civil penalties and other sanctions as measures to safeguard the public coffers from failure in responsibility by pet owners and to provide for the peace and dignity of Augusta-Richmond County's communities; and

WHEREAS, The Board of Commissioners also finds that although many of these unwanted animals are healthy, some others are not and that the latter have an adverse impact on the public health, safety, welfare, and environment. The impact of these animals includes, but is not limited to, the transmission of disease, the injury and sometimes death of humans and other animals, the creation of hazards to vehicular travel, and a drain on public finances; and

WHEREAS, The Board of Commissioners further finds that uncontrolled or unintended breeding of dogs and cats is the cause of the pet overpopulation problem and, without action aimed at the cause of the problem, this problem and its serious consequences, including the cycle of impoundment and euthanasia of unwanted animals, will remain unabated and will be compounded with time; and

WHEREAS, The Board of Commissioners also finds that one of the most effective, economical, humane, and ethical solutions to the problem of dog and cat overpopulation is to substantially reduce, if not eliminate, unintended breeding, and by such reduction or elimination, Augusta, Georgia seeks to promote the public health, safety, welfare, and environmental interests of its citizens; and

WHEREAS, These regulations are hereby adopted to advance the fundamental goal of protecting the health, safety and welfare of the citizens of Augusta, Georgia, and to further legitimate government interests, including ameliorating the drain on public finances resulting from impoundment and euthanasia of animals, reducing the transmission of disease, mitigating hazards to vehicular travel and dangers posed by roaming animals, and reducing the serious overpopulation of dogs and cats in the community; and

WHEREAS, it is the desire of the Board of Commission to update and improve the Animal Services provisions of the CODE applicable to the community; and

WHEREAS, the provisions of the animal control ordinances have been revised at various times to meet the needs of the growing population of Augusta, Georgia; and

WHEREAS, at the request of the Animal Services Staff the Commission has been asked to again revise these ordinances to address some of the recent issues in control, enforcement and prosecution which have arisen; and

WHEREAS, these regulations are hereby adopted to advance the fundamental goal of protecting the health, safety and welfare of the citizens of Augusta, Georgia, and to further legitimate government interests.

THE AUGUSTA, GEORGIA COMMISSION ordains as follows:

SECTION 1. AUGUSTA, GA. CODE Section 4-1-16 as set forth in the AUGUSTA, GA. CODE, re-adopted July 10, 2007, is hereby amended by striking this section in its entirety and inserting in lieu thereof new Code Section 4-1-16, as set forth in "Exhibit A" hereto.

SECTION 2. Augusta, GA. CODE Sections 4-1-19 as set forth in the AUGUSTA, GA. CODE, re-adopted July 10, 2007, is hereby amended by striking this section in its entirety and inserting in lieu thereof new Code Sections 4-1-19, as set forth in "Exhibit B" hereto.

SECTION 3. AUGUSTA, GA. CODE Section 4-1-21 as set forth in the AUGUSTA, GA. CODE, re-adopted July 10, 2007, is hereby amended by striking this section in its entirety and inserting in lieu thereof new Code Section 4-1-21, as set forth in "Exhibit C" hereto.

SECTION 4. Augusta, Ga. Code Sections 4-1-26 as set forth in the Augusta, Ga. Code, re-adopted July 10, 2007, is hereby amended by striking this section in its entirety and inserting in lieu thereof new Code Section 4-1-26, as set forth in "Exhibit D" hereto.

SECTION 5. AUGUSTA, GA. CODE Sections 4-1-27 as set forth in the AUGUSTA, GA. CODE, re-adopted July 10, 2007, is hereby amended by striking this section in its entirety and inserting in lieu thereof new Code Section 4-1-27, as set forth in "Exhibit E" hereto.

SECTION 6. AUGUSTA, GA. CODE Sections 4-1-29 as set forth in the AUGUSTA, GA. CODE, re-adopted July 10, 2007, is hereby amended by striking this section in its entirety and inserting in lieu thereof new Code Section 4-1-29, as set forth in "Exhibit F" hereto.

SECTION 7. AUGUSTA, GA. CODE Section(s) 4-1-36 thru 4-1-50 Reserved as set forth in the Augusta, Ga. Code, re-adopted July 10, 2007, is hereby amended by striking this section in its entirety and inserting in lieu thereof new Code Section 4-1-36 thru 4-1-46, as set forth in "Exhibit G" hereto.

SECTION 8. AUGUSTA, GA. CODE Section 4-1-53 as set forth in the AUGUSTA, GA. CODE, re-adopted July 10, 2007, is hereby amended by striking this section in its entirety and inserting in lieu thereof new Code Section 4-1-53, as set forth in "Exhibit H" hereto.

SECTION 9. Section(s) 4-1-41 thru 4-1-50 of the AUGUSTA, GA. CODE shall remain reserved.

SECTION 10. This ordinance shall be effective immediately upon its adoption.

SECTION 11. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Adopted this _____ day of _____, 2014.

David S. Copenhaver
As its Mayor

Attest:

Lena J. Bonner, Clerk of Commission

Seal:

CERTIFICATION

The undersigned Clerk of Commission, Lena J. Bonner, hereby certifies that the foregoing Ordinance was duly adopted by the Augusta, Georgia Commission on _____, 2014 and that such Ordinance has not been modified or rescinded as of the date hereof and the undersigned further certifies that attached hereto is a true copy of the Ordinance which was approved and adopted in the foregoing meeting(s).

Lena J. Bonner, Clerk of Commission

Published in the Augusta Chronicle.

Date: _____

First Reading _____

Second Reading _____

EXHIBIT A

Strike:

Sec. 4-1-16. Definitions.

- ~~(a) *Domestic animals.* Dogs and cats and others that live and breed in a tame condition.~~
- ~~(b) *Livestock.* All animals of the equine, bovine, or swine class, including goats, sheep, mules, horses, hogs, cattle, and other grazing animals.~~
- ~~(c) *Own.* To have legal ownership of, or to possess, keep, have custody or control over, or harbor.~~
- ~~(d) *Owner.* Any person, association, firm or corporation, natural or artificial, owning, possessing, keeping, having custody of or control or authority over, or harboring any domestic animal or livestock.~~
- ~~(e) *Public roads.* Any street, road, highway, or way, including the full width of the right-of-way, which is open to the use of the public for vehicular travel.~~
- ~~(f) *Running at large or straying.* Any animal which is not under manual control of a person or in an authorized off-leash Dog Park and which is on any public road or street of Augusta-Richmond County, or on any property not belonging to the owner of the animal, unless by permission of the owner of such property.~~
- ~~(g) *Urban services district.* That area coterminous with the boundaries of former City of Augusta, Georgia as said boundaries existed as of December 31, 1995.~~
- ~~(h) *Dog Park.* A Dog Park recognized and operated as a secure place where dogs are allowed to play without a leash, so long as Handlers of such dogs comply with Dog Park Rules.~~
- ~~(i) *Handler.* Anyone, owner or other, responsible for a dog(s) utilizing the off-leash area of a Dog Park. A Handler must be age eighteen (18) or older.~~

Replace With:

Sec. 4-1-16. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) *Abandon* means the act of placing an animal on public property or within a public building, unattended or uncared for, or on or within the private property of another without the express permission of the owner, custodian or tenant of the private

property. An animal shall also be considered abandoned when it has been unattended and without adequate food, water, ventilation or shelter, for a period in excess of 72 hours, regardless of where such animal may be found or kept.

- (b) Adequate food means sufficient quantity of non-contaminated and nutritionally healthy sustenance that is appropriate to the species, breed, size, age and health of the animal, or at the direction of a licensed veterinarian, which is sufficient to prevent starvation, malnutrition, or risk to the animal's health. Garbage, spoiled, rancid, or contaminated food is not adequate food.
- (c) Adequate shelter means a protective covering for an animal that is of adequate size and provides adequate protection to maintain the animal in a state of good health, and that prevents pain, suffering, or significant risk to the animal's health. Adequate shelter shall consist of a completely enclosed structure with four sides with a door opening, a constructed floor, and a roof. It should also be clean, dry and compatible with current weather conditions, in addition to age, size, species and condition of the animal. The structure should be of sufficient size to allow the animal to stand, turn around, lie down and go in and out of the structure comfortably. To be adequate, some type of bedding that is quick drying, (such as hay or pine straw), must be provided to maintain comfortable temperatures within the structure during times when the outside temperature is below freezing. In addition, if the shelter is made of wood, it shall be raised at least two inches off the ground to prevent seepage or rotting. Examples of inadequate shelter include, but are not limited to, lean-tos, metal drums, boxes, abandoned vehicles, porches, decks, or material that does not provide sufficient protection from the elements.
- (d) Adequate space means a sufficient safe space for adequate exercise suitable to the age, size, species and breed of animal. For dogs, adequate space means an enclosure with a minimum of 100 square feet per dog.
- (e) Adequate water means clean, clear, drinkable water in adequate supply. Examples of inadequate water include, but are not limited to: snow, ice and rancid/contaminated water.
- (f) An animal running at-large means any cat/dog not on a leash, not at heel, not beside a competent person, not in a vehicle driven or parked, or not confined within the property limits of his owner. Hunting and tracking dogs are under the services of the owner when hunting with the landowner's permission and are not considered running at large.
- (g) Animal services board means any board constituted and appointed by the board of commissioners to perform the duties of the animal services board under this article.

- (h) Animal services facility means and includes any vehicle, building, structure, pasture, paddock, pond, impoundment area or premises where any animal is kept or housed by the animal services unit for the purpose of impounding or harboring stray, homeless, abandoned, unwanted, neglected or abused animals, or disaster relief animals.
- (i) Animal services officer means an employee of the animal services department responsible for the enforcement of the rules and regulations of this article.
- (j) Animal services unit means the division of animal services.
- (k) Cruelty means causing death or unjustifiable pain or suffering to an animal by any act, omission, or neglect.
- (l) Dangerous dog means any dog that has without provocation inflicted severe injury on a human being or, if such dog has previously been classified as a potentially dangerous dog, has aggressively bitten, attacked or endangered the safety of a human being without provocation. However, no dog may be declared dangerous if the threat, injury or damage was sustained by a person who, at the time, was committing a willful trespass or other tort upon the premises occupied by the owner or keeper of the dog, or was teasing, tormenting, abusing, or assaulting the dog or has, in the past, been observed or reported to have teased, tormented, abused or assaulted the dog or was committing or attempting to commit a crime. The definition shall not be construed to include any dog that is part of a governmental organization or a trained guard dog in performance of its duties.
- (m) Dog Park. A Dog Park recognized and operated as a secure place where dogs are allowed to play without a leash, so long as Handlers of such dogs comply with Dog Park Rules.
- (n) Domestic animal means an animal that, through long association with humans, has adapted to human living conditions.
- (o) Guard or protection dog means any dog trained for the purpose of protecting individuals from assault and/or preventing property loss or damage.
- (p) Handler. Anyone, owner or other, responsible for a dog(s) utilizing the off-leash area of a Dog Park. A Handler must be age eighteen (18) or older.
- (q) Harbor includes legal ownership; providing regular care, shelter, protection, refuge, nourishment, or medical treatment.
- (r) Hoarding means the act of collecting animals and failing to provide proper food, shelter and veterinary care.

- (s) Impoundment means the act of taking physical possession of an animal by an animal services officer or other officer empowered to act by law and transporting the animal to the animal services facility.
- (t) Livestock means and includes horses, cows, goats, pigs or any other hoofed animal used for pleasure or profit. Fowl and rabbits are not included within this definition.
- (u) Necessary veterinary care means veterinary medical attention appropriate to the circumstances, whenever an animal is known or suspected to have suffered an injury, accidental or deliberate, or exhibits signs of disease process such as shock, temperature fluctuation, tremors, swelling, broken bones, open wounds, inability to eat or drink, blistering, irregular or abnormal breathing, partial or total paralysis, abnormal discharge or bleeding, mange, or other signs of health problems.
- (v) Own means to have legal ownership of, or to possess, keep, have custody or control over, or harbor.
- (w) Owner means any person, firm, corporation, partnership, association, and/or other legal entity, over the age of eighteen (18) years, who or which owns, possesses, harbors, keeps, feeds, maintains, or knowingly causes or knowingly permits an animal to be harbored or kept, or has an animal in his care, or who permits an animal to remain on or about his premises. If an animal has more than one owner, any one of such owners may be prosecuted for violations whether or not any other owners are also prosecuted.
- (x) Police officer means any law enforcement officer empowered to make arrests or cause to be issued summonses in Augusta-Richmond County.
- (y) Potentially dangerous dog means any dog with a known propensity, tendency or disposition to attacks, cause injuries or otherwise threaten the safety of any human being. Potentially dangerous dog shall also mean any dog which inflicts a bite upon a human being or chases or approaches a human being on any public or private property in a vicious or terrorizing manner in an apparent attitude of an attack.
- (z) Proper enclosure for dangerous dog means an enclosure that meets all of the following criteria:
 - (1) A structure which is suitable to prevent the entry of young children and to prevent the dog from escaping;
 - (2) A structure with secure sides and a secure top attached to all sides;
 - (3) A structure whose sides are so constructed at the bottom so as to prevent the dog's escape by digging under the sides. The sides must either be buried two feet into the ground or sunken into a concrete pad;

- (4) A structure which provides appropriate protection from the elements for the dog. The structure must contain adequate shelter inside it;
- (5) A structure which is inside a perimeter or area fence;
- (6) The gate to the structure shall be of the inward-opening type and shall be kept locked except when tending to the animal's needs such as cleaning the kennel or providing food and water.
- (aa) Provocation means committing a willful trespass or other tort upon the premises occupied by the owner or possessor of the animal, or teasing, tormenting, or abusing the animal or committing or attempting to commit a crime against a person.
- (bb) Public Roads means any street, road, highway, or way, including the full width of the right-of-way, which is open to the use of the public for vehicular travel.
- (cc) Running at Large or Straying means any animal which is not under manual control of a person and which is on any public road or street of Augusta, Georgia, or on any property not belonging to the owner of the animal, unless by permission of the owner of such property.
- (dd) Sanitary conditions means an animals' living space, shelter, or exercise area that is not contaminated by health hazards, waste, irritants, pollutants, items, or conditions that endanger or pose a risk to an animal's health.
- (ee) Service dogs shall include dogs having been appropriately trained and actually being used as guide dogs, hearing dogs, assistance dogs, seizure alert dogs, and social/therapy dogs.
- (ff) Severe injury means any injury which results in a broken bone, lacerations severe enough to require multiple sutures, life threatening injuries or death.
- (gg) Urban services district. That area coterminous with the boundaries of former City of Augusta, Georgia as said boundaries existed as of December 31, 1995.
- (hh) Vicious dog means any dog that inflicts a severe injury on a human being without provocation after the owner has notice that the dog has previously bitten or attacked or endangered the safety of a human being and/or any dog that is owned, possessed, kept, harbored, trained, or maintained for the purpose of fighting. Such term shall not include a dog that inflicts an injury upon a person when the dog is being used by a law enforcement officer to carry out the law enforcement officer's official duties. A dog shall not be considered a vicious dog if the injury inflicted by the dog was sustained by a person who, at the time, was committing a willful trespass or other tort or was tormenting, abusing, or assaulting the dog or had in the past been observed or reported

to have tormented, abused, or assaulted the dog or was committing or attempting to commit a crime.

EXHIBIT B

Strike:

Sec. 4-1-19. Identification and vaccination tag to be worn.

- (a) ~~*Collar required.* It shall be unlawful for the owner of any dog in Augusta-Richmond County to allow such dog to be without a collar which shall have attached a valid vaccination tag, as required by this Chapter and an identification showing the name and address of the owner of the dog.~~
- (b) ~~*Duty of owner to provide collar.* It shall be the duty of each dog owner to provide a collar with identification as provided herein and inoculation tag for each dog, except when such dog is under immediate control of the owner or is participating in a dog show or exhibition.~~

Replace With:

Sec. 4-1-19. Collar and rabies vaccination tag required, unauthorized attachment and removal of tags, collars.

- (a) *Collar required.* It shall be unlawful for the owner of any dog in Augusta-Richmond County to allow such animal to be without a collar which shall have attached a valid vaccination tag, as required by this section and an identification showing the name and address of the owner of the animal.
- (b) It shall be the duty of each dog owner to provide a collar with identification as provided herein and inoculation tag for each animal, except when such animal is under immediate control of the owner or is participating in an animal show or exhibition.
- (c) It shall be unlawful for any person to attach a vaccination tag to the collar of any animal for which it was not issued, or to remove such tags from any animal without the consent of its owner or possessor; unless under the control of an animal services department.
- (d) Any dog shipped or transported through Augusta entering the county only for the purpose of a temporary stay, when such stay shall not exceed fifteen (15) days, (ex: circus, futurity animals) shall be exempt from collar and tag sections of this article. However, all other provisions of Federal, state, and local laws are applicable to such transient animals.

EXHIBIT C

Strike:

Sec. 4-1-21. Duty of owner to keep dog and cat under control; stray animals prohibited.

~~It shall be unlawful for any animal to be out of control and/or unattended off the premises of its owner, and/or upon the premises of another person without the permission of such other person. This section shall not apply to those dogs which are actively engaged in hunting or field trials, dogs in off-leash Dog Parks or to those dogs and cats which are participating in animal shows or exhibitions.~~

Replace With:

Sec. 4-1-21. Duty of owner to keep dog and cat under control; stray animals prohibited.

- (a) It shall be unlawful for any animal to be out of control and/or unattended off the premises of its owner, and/or upon the premises of another person without the permission of such other person. This section shall not apply to those dogs which are actively engaged in hunting or field trials, dogs in off-leash Dog Parks or to those dogs and cats which are participating in animal shows or exhibitions.
- (b) An animal is considered not under restraint or under immediate control when it is running at large, whether wearing a collar and tag or not. Reasonable care and precautions shall be taken to prevent the animal from leaving the real property limits of its owner, possessor, or custodian, and to ensure that:
 - (1) It is securely and humanely enclosed within a house, building, fence, pen or other enclosure out of which it cannot climb, dig, jump, or otherwise escape on its own volition, and that such enclosure is securely locked at any time the animal is left unattended; or
 - (2) It is securely and humanely restrained by an invisible containment system. If using an invisible containment system, a sign must be posted on the property indicating that the system is in place; or
 - (3) It is on a leash and under the immediate control of an owner, or it is off leash and obedient to and under voice command of the owner who is in the immediate proximity of the animal any time it is not restrained as provided for in subsection (1) or (2) above while on the owner's property.

EXHIBIT D

Strike:

Sec. 4-1-26. Abandonment.

- (a) ~~No person shall release an animal on any property, public or private, with the intention of abandoning the animal.~~
- (b) ~~No person shall intentionally abandon a dead animal on any private property belonging to another unless the person so doing shall have first obtained permission from the owner of the property on which the animal is being left.~~
- (c) ~~No person shall abandon a dead animal on any public property or public right-of-way unless the place on which the animal is being left is an approved sanitary landfill or other facility designed for receiving such and has been designated by the Augusta-Richmond County Commission as a public facility for receiving trash or refuse.~~

Replace With:

Sec. 4-1-26. Abandonment.

- (a) No person shall release an animal on any property, public or private, with the intention of abandoning the animal.
- (b) No person shall intentionally abandon a dead animal on any private property belonging to another unless the person so doing shall have first obtained permission from the owner of the property on which the animal is being left.
- (c) No person shall abandon a dead animal on any public property or public right-of-way unless the place on which the animal is being left is an approved sanitary landfill or other facility designed for receiving such and has been designated by the Board of Commission as a public facility for receiving trash or refuse.
- (d) An animal relinquished through written agreement with animal services, licensed rescue group, licensed shelter, licensed veterinarians, individual, or other entity shall not be deemed abandoned, but shall be considered relinquished to the entity.

EXHIBIT E

Strike:

Sec. 4-1-27. Cruelty.

- (a) *Prohibited.* No person shall, by his act, omission or neglect, cause unjustifiable physical pain, suffering or death to any living animal. This section does not apply to killing of animals raised for the purpose of providing food, nor does it apply to any person who hunts wild animals in compliance with the game and fish laws of this state. Killing or injuring an animal for humane purposes or in the furtherance of medical or scientific research is justifiable.
- (b) *Permitted acts.* No person shall perform a cruel act on any animal, nor shall any person harm, maim or kill any animal, or attempt to do so; except that a person may:
- (1) Defend his person or property or the person or property of another from injury or damage being caused by an animal; or
 - (2) Kill any animal causing injury or damage to livestock or poultry.
- (c) *Physical abuse.* It is unlawful for any person to willfully or maliciously kill; maim; disfigure; torture; beat with a stick, chain, club or other object; mutilate, burn or scald with any substance; drive over or otherwise cruelly set upon any animal; except that reasonable force may be employed to drive off vicious or trespassing animals.
- (d) *Failure to care for and maintain.* It is unlawful for any person to fail, refuse or neglect to provide any animal in his charge or custody, as owner or otherwise, with proper food, drink, shade, care or shelter, or to carry any animal in or upon any vehicle in a cruel or inhumane manner. Any animal habitually kept outside shall be provided with a structurally sound, weatherproof enclosure, large enough to accommodate the animal and which meets all requirements established by the Health Department regarding same.
- (e) *Keeping diseased or crippled animal.* It is unlawful for any person to have, keep or harbor any animal which is infected with any dangerous disease or any incurable, painfully crippling condition. The Animal Control Department may impound such diseased or painfully crippled animal, and all such animals impounded may be destroyed as humanely as possible as soon thereafter as conveniently possible. In the case of destruction of such animal, the Animal Control Department shall not be required to give any notice. This section shall not be construed to include veterinary hospitals or animals under active veterinary care.
- (f) *Authority of Animal Control Department in case of animal neglect.* Whenever the Animal Control Department finds that any animal is or will be without proper care because of injury, illness, incarceration or other voluntary absence of the owner or person responsible for the care of such animal, the Animal Control Department may pick up

~~such animal for protective care; and in the event of sickness or injury, the Animal Control Department may take such action as called for to prevent undue pain and suffering, including immediate destruction of the animal. In the event such animal is later released, in the discretion of the Animal Control Department, to its owner, said owner shall be required to reimburse the Animal Control Department for any expenses incurred in taking any action to care for said animal.~~

Replace With:

Sec. 4-1-27. Cruelty to animals.

- (a) Prohibited acts. No person shall, by his act, omission or neglect, cause unjustifiable physical pain, suffering or death to any living animal. This section does not apply to killing of animals raised for the purpose of providing food, nor does it apply to any person who hunts wild animals in compliance with the game and fish laws of this state. Killing or injuring an animal for humane purposes or in the furtherance of medical or scientific research is justifiable.
- (b) Permitted acts. No person shall perform a cruel act on any animal, nor shall any person harm, maim or kill any animal, or attempt to do so; except that a person may:
 - (1) Defend his person or property or the person or property of another from injury or damage being caused by an animal; or
 - (2) Kill any animal causing injury or damage to livestock or poultry.
- (c) Physical abuse. It is unlawful for any person to willfully or maliciously kill; maim; disfigure; torture; beat with a stick, chain, club or other object; mutilate, burn or scald with any substance; drive over or otherwise cruelly set upon any animal; except that reasonable force may be employed to drive off vicious or trespassing animals.
- (d) Failure to care for and maintain. It is unlawful for any person to fail, refuse or neglect to provide any animal in his charge or custody, as owner or otherwise, with proper food, drink, shade, care or shelter, or to carry any animal in or upon any vehicle in a cruel or inhumane manner. Any animal habitually kept outside shall be provided with a structurally sound, weatherproof enclosure, large enough to accommodate the animal and which meets all requirements established by the Health Department regarding same.
- (e) Keeping diseased or crippled animal. It is unlawful for any person to have, keep or harbor any animal which is infected with any dangerous disease or any incurable, painfully crippling condition. The Animal Services Department may impound such diseased or painfully crippled animal, and all such animals impounded may be destroyed as humanely as possible as soon thereafter as conveniently possible. In the case of destruction of such animal, the animal services department shall not be required to give any notice. This section shall not be construed to include veterinary hospitals or animals under active veterinary care.

- (f) No animal shall be transported on a public road in an open truck bed unless the animal is humanely secured in a ventilated container so as to prevent the animal from escaping out of the vehicle, getting tangled, or having the animal to extend over the edge of the vehicle that could result in an injury or strangulation of the animal while the vehicle is in motion. No animal shall be transported in the trunk of a vehicle or under a pick up truck's bed cover or "low profile" cover.
- (g) *Authority of animal services department in case of animal neglect.* Whenever the animal services department finds that any animal is or will be without proper care because of injury, illness, incarceration or other voluntary absence of the owner or person responsible for the care of such animal, the animal services department may pick up such animal for protective care; and in the event of sickness or injury, the animal services department may take such action as called for to prevent undue pain and suffering, including immediate destruction of the animal. In the event such animal is later released, in the discretion of the animal services department, to its owner, said owner shall be required to reimburse the animal services department for any expenses incurred in taking any action to care for said animal.

EXHIBIT F

Strike:

Sec. 4-1-29. Disposal of dead animals and fowl.

- (a) ~~It shall be unlawful to throw or place any dead fowl or animal on the streets or alleys of Augusta-Richmond County. Such fowl or animal, where size will permit, shall be placed in a covered receptacle and the sanitary department notified immediately.~~
- (b) ~~It shall be unlawful for the owner of any dead animal carcass to allow the same to remain in Augusta-Richmond County without disposing of same as provided for herein. Such owner shall immediately dispose of the same. If any such owner violates this section, the Commission, through its agents and employees, shall proceed to remove and dispose of such dead animal carcass, and the owner shall be liable to the Commission and shall pay to Augusta-Richmond County the sum of twenty dollars for such removal and disposal.~~

Sec. 4-1-29 Disposal of dead animals and fowl.

- (a) It shall be unlawful to throw or place any dead fowl or animal on the streets or alleys of Augusta-Richmond County. Such fowl or animal, where size will permit, shall be placed in a plastic trash bag and placed in a covered receptacle.
- (b) It shall be unlawful for the owner of any dead animal carcass to allow the same to remain in Augusta-Richmond County without disposing of same as provided for herein. Such owner shall immediately dispose of the same. If any such owner violates this section, the Commission, through its agents and employees, shall proceed to remove and dispose of such dead animal carcass, and the owner shall be liable to the Commission and shall pay to Augusta-Richmond County fees for such removal and disposal.
- (c) Dead livestock, including horses, cattle and any other large animals must be disposed of by the animal owner or property owner/possessor in accordance with Federal, state and local regulations.

EXHIBIT G

Strike:

Sec. 4-1-36 thru 4-1-50. Reserved.

Replace With:

Sec 4-1-36. Tethering

- (a) Animals may not be tethered to a stationary object unless in the presence of their owners, possessors, or custodians.
- (b) The following precautions shall be taken by the owners, possessors, or custodians of dangerous/vicious animals;
 - (1) Owners of vicious dogs who maintain their dogs out-of-doors shall fence a portion of their property with a second perimeter or area fence. Within this perimeter or area fence, the vicious animal must be humanely confined inside a pen or kennel of adequate size. The pen or kennel may not share common fencing with the area or perimeter fence. The kennel or pen must have secure sides and a secure top attached to all sides. The sides must either be buried two feet into the ground or sunken into a concrete pad. The gate to the kennel shall be inward-opening and shall be kept locked except when tending to the animal's needs such as cleaning the kennel or providing food and water.
 - (2) Whenever the dog is outside of its enclosure as provided for in this subsection, but on the owner's property, it must be attended by the owner and restrained by a secure collar and leash of sufficient strength to prevent escape. The leash shall be no longer than ten feet and the animal must be kept at least 15 feet within the perimeter boundaries of the property unless the perimeter boundary is securely fenced.
 - (3) Maintain at all times either a policy of insurance or surety bond in a minimum amount of fifty thousand dollars (\$50,000.00) to cover claims for any personal injuries inflicted by the dog, which policy or surety bond shall be issued by an insurer or surety, as the case may be, authorized to transact business in the state.
 - (4) Except when being transported to a licensed veterinary facility, dangerous and vicious dogs shall not be allowed off the property of the owner. Should transport to veterinary care be needed, the animal shall be securely and humanely confined within a vehicle. Movement of the animal from the residence of owner to and from the transporting vehicle and to and from the veterinary facility shall be conducted with the animal securely leashed by a leash no longer than six feet in length and muzzled by a muzzle or device constructed so as to prevent the animal from biting.

- (c) It shall be unlawful for any person to cause, permit, accompany or be responsible for the presence of any vicious dog or cat on the streets or public places of the city or allow the animal to run on the premises of another at any time, unless and in addition to the other requirements of this article such dog or cat shall be securely muzzled to effectively prevent it from biting any person or other animal. A vicious animal shall be immediately confiscated by an animal services or law enforcement officer if the vicious animal is not maintained in a proper enclosure; or if the vicious dog is outside a proper enclosure in violation of this article. Upon impounding a vicious animal for any reason, the animal services unit may for reasons of public safety, retain the animal at the impoundment facility until disposition by the appropriate court.
- (d) Any animal that has been confiscated under the provisions of this section shall be returned to its owner upon the owner's compliance with the provisions of this article and upon the payment of reasonable confiscation costs. In the event the owner has not complied with the provisions of this section within 20 days of the date the dog was confiscated, said dog shall be destroyed in an expeditious and humane manner.
- (e) Guard or protection dogs:
- (1) Owners or custodians of any guard or protection dog must confine all such dogs within a perimeter fence and meet the following conditions, unless the dog is otherwise restrained as provided for in subsection (a)(3).
- (a) The fence shall be sufficient to prevent the dog's escape, with all points of ingress and egress securely locked at all times.
- (b) A "beware of dog" sign shall be conspicuously displayed on each exterior side of the enclosure for each 50 feet of enclosure, minimum of two, as well as a sign on each ingress or egress point to the enclosure. Signs shall be a minimum of ten (10) inches high and fourteen (14) inches long.
- (c) The owner or custodian shall, prior to placing dogs on property, have the dog(s) microchip registered, at his/her own expense, and provide the registration number to the animal services unit.
- (d) The owner or custodian shall report to the department of animal services within twenty four (24) hours of any of the following:
- i. Escape of the dog;
 - ii. An attack on a human or animal by the dog;
 - iii. Transfer of ownership of the do;
 - iv. Death of the dog.

Any public safety officers, including animal control officers shall have the authority to enter onto private or public property for the purpose of ensuring compliance with the provisions of this section.

Sec. 4-1-37. Interference with animal services officers

No individual shall interfere with an Animal Control Officer while in the legal performance of his or her duties. This includes but is not limited to, striking or attempting to strike the Animal Control Officer; providing the Animal Control Officer with false information; taking or attempting to take any animal from any Animal Control Officer in the legal performance of his or her duties, from an official vehicle used by the Augusta Animal Services department to transport animals, or from the Augusta Animal Services facility without proper authority; or to taking or damaging any county property used in conjunction with the legal performance of the Animal Control Officer's duties.

Sec. 4-1-38. Sterilization Requirement.

- (a) Any person owning, keeping, harboring, or having custody of any dog or cat six (6) months of age or older is required to have said animal surgically sterilized unless said person holds an unaltered animal permit issued by Augusta Animal Services or any successor agency authorized by law to issue said permit, except:
- (1) Individuals who are non-residents of Augusta, Georgia and reside temporarily therein for a period not to exceed sixty (60) days within a 12-month period;
 - (2) Lawful humane societies/animal shelters licensed by the Georgia Department of Agriculture whose principal purpose is securing the adoption of dogs and cats or offering sanctuary for dogs and cats. Such organizations nevertheless must comply with the mandatory sterilization requirements applicable to animal shelters and rescue organizations pursuant to regulations of the Georgia Department of Agriculture, OCGA §§ 40-13-13 et. seq., the Georgia Animal Protection Act, OCGA §§ 4-11-1 et. seq., and other applicable laws;
 - (3) Veterinary hospitals;
 - (4) Persons who own, keep, harbor, or have custody of registered service dogs or working police dogs;
 - (5) Persons who own, keep, or have custody of an actively competitive show dog or hunting dog, with proof of show participation or hunting license;
 - (6) Persons who own, keep, or have custody of a dog or cat and who are in possession of a written certification provided by a licensed veterinarian stating that the animal has a serious health condition which renders the animal unfit to undergo

the requires surgical procedure. Such serious health conditions shall include, but not be limited to, cardiovascular compromise, bleeding disorder, respiratory disease, hepatic disease, and advanced heart worm infestation. The old age of an animal shall not, of itself, constitute a serious health condition for purposes of this section.

Sec. 4-1-39. Unaltered Animal Permit.

- (a) Animal owners who wish to maintain an intact animal must apply for an unaltered animal permit with Augusta, Georgia. Augusta Animal Services will issue an unaltered animal permit if the owner complies with the requirements set forth in this article and pays the permit fee established by the Board of Commissioners. A certificate will be issued identifying the animal as a permitted unaltered animal and must be made available for inspection at all times.
- (b) Owners who apply for an unaltered animal permit must provide proof of rabies vaccination of the animal prior to issuance of the permit. An annual unaltered animal permit is valid for the same term as the rabies vaccination.
- (c) An unaltered animal tag will be provided to the owner with every unaltered animal permit. The owner of the unaltered animal is required to see that the unaltered animal tag is valid and is securely fastened to the animal's collar or harness at all times.
- (d) The cost of an annual unaltered animal permit shall be fixed by the Board of Commission.

Sec. 4-1-40. Annual Registration Requirement.

- (a) Any person owning, keeping, harboring, or having custody of a dog or cat six (6) months old or older within the territorial limits of Augusta-Richmond County for more than sixty (60) days in a 12-month period is required to obtain a registration license tag for such animal by registering it with Augusta Animal Services.
 - (1) The registration must be purchased for the same term as the rabies vaccination. If submitting a certificate for a 3-year rabies vaccination, you must purchase a 3-year license. If a one-year vaccination was given, you may only purchase a one-year license. Upon registration of the animal, the owner shall be issued a certificate of registration which identifies the animal as one registered with Augusta Animal Services.
 - (2) The registration fee shall be due and payable within 30 days of the expiration of your current certificate of registration.

- (3) The charge for the registration fees, duplicate tag fees, and transfer of license fees shall be provided for by regulations of the Board of Commissioners. Prior to the filing of any revision of fees with the Clerk of Commission, such revision shall be published once each week for two consecutive weeks in the publication used for publication of other notices to the public by Augusta, Georgia.
- (b) When initially registering an animal, the owner shall produce proof of current rabies vaccination and shall thereafter forward proof of vaccination renewal to the Augusta Animal Services department. Failure to maintain current rabies vaccination records with Augusta Animal Services shall render the annual animal registration invalid.
- (c) Every person owning, keeping, harboring, or having custody of an animal subject to the annual registration requirement is required to see that the license tag is valid and, in the case of dogs, is securely fastened to the animal's collar or harness at all times.
- (d) Working law enforcement dogs, registered service dogs, and service dogs in training with credentials shall qualify for exemption from the annual registration fee by including on the license application the name and telephone number of the responsible agency and, in case of service dogs, the individual registration number of the animal.
- (e) If a license tag issued for a dog or cat becomes lost, the owner may obtain a duplicate tag upon the payment of the required fee and the presentation of the original registration certificate or proof thereof to Augusta Animal Services.
- (f) Where change in ownership of an animal occurs during the license year, the new owner shall have the current license transferred to his name upon the payment of the required transfer fee to Augusta Animal Services.
- (g) No person shall use a license receipt or license tag issued for one dog or cat for any other dog or cat.
- (h) In lieu of the civil penalty for violation, a person cited under this section may register his or her dog or cat with Augusta Animal Services within fifteen (15) days of the issuance of the citation and the civil penalty will be voided.

Sec. 4-1-41. Deadline for Compliance.

- (a) Every person owning, keeping, harboring, or having custody of an animal governed by section 4-1-38 shall have the animal surgically sterilized or, if the animal meets applicable eligibility requirements, the owner shall obtain an unaltered animal permit within thirty (30) days of the dog or cat becoming six (6) months of age, or by December 30, 2015, whichever is the later in time, or, in the case of the owner who has acquired a dog or cat after it becomes six (6) months of age, within thirty (30) days of acquisition.

- (b) Every person owning, keeping, harboring, or having custody of an animal governed by section 4-1-40 shall have the animal registered and licensed in accordance with these provisions by December 30, 2015.

Sec. 4-1-42. Change in address/ownership.

The residence address of the owner shall be presumed to be the custodial location of the dog or cat. All changes of address must be reported to the Augusta Animal Services department in writing within thirty (30) calendar days following such change. A permit or license holder shall notify the Augusta Animal Services department in writing of any change of ownership of a dog or cat within thirty (30) calendar days following such charge.

Sec. 4-1-43. Enforcement.

- (a) The Augusta Animal Services department is charged with enforcement of this chapter. Animal Control Officer (ACOs) are the employees of the Augusta Animal Services department, who are generally charged with compliance activities. ACOs shall issue citations under this chapter.
- (b) A citation will only be issued under section 4-1-38 if the owner is in violation of another provision of this chapter or of a state law provision concerning animal care and control.

Sec. 4-1-44. Revocation.

- (a) Upon receipt of information of a violation of this article, the Augusta Animal Services department may issue a notice of revocation to the holder of an unaltered animal permit. The notice of revocation shall provide a summary of the violation and shall be sent by certified mail, return receipt requested, by hand delivery by an ACO, or by posting of the property at the address listed in the permit application. The permit holder shall be entitled to a hearing. Any request for hearing shall be filed by the permit holder with the Augusta Animal Services department within the ten (10) days after the permit holder's receipt of said notice. The permit holder shall set forth the reasons why the permit holder believes the revocation would be an error. Failure to timely request a hearing shall render the revocation final. Hearings shall be conducted by a hearing officer designated to hear such appeals by the Board of Commissioners. All hearings shall be conducted by the hearing officer within thirty (30) days after the receipt of a request for hearing. The hearing officer's original written decision shall be filed with Augusta Animal Services Department, and copies shall be mailed to the General Counsel of Augusta, Georgia and the permit holder.
- (b) It shall also be a violation of this article to counterfeit an unaltered animal permit or tag, to maliciously destroy a permit or tag, or to fraudulently obtain an unaltered animal permit tag.

- (c) An unaltered animal permit issued pursuant to this division is a privilege and not a right.

Sec. 4-1-45. Breeding of Animals.

- (a) Hobby breeders are governed by licensing and record keeping regulations of the Georgia Department of Agriculture, OCGA §§ 40-13-13 et. seq., and by relevant provisions of the Georgia Animal Protection Act, OCGA §§ 4-11-1 et. seq., and other applicable laws.
- (b) Backyard breeders. It is unlawful for any person who does not hold a license from the Georgia Department of Agriculture to breed an animal if they are required to be licensed by the Georgia Department of Agriculture.

Sec. 4-1-46. Penalties.

Any person who is issued a citation for violating Section 4-1-38 for the first time shall be provided with a list of no cost and low cost spay and neuter services. If a first time violator can demonstrate compliance with Section 4-1-38 within sixty (60) days of the date the citation is issued, the citation shall be dismissed. All subsequent violations may be punished by fine pursuant to AUGUSTA, GA. CODE Sec. 1-6-1.

EXHIBIT H

Strike:

Sec. 4-1-53. Impoundment of livestock straying.

- ~~(a) It shall be the duty of the Augusta-Richmond County Animal Control Department officers to impound livestock found to be running at large or straying. Owners or operators of a farm may also impound such livestock, provided that the livestock is kept in a suitable place and cared for properly. Such owners or operators shall receive the feed and care fee for such animal.~~
- ~~(b) If the owner or operator of a farm impounds livestock, it shall be his duty to notify the owner of such livestock immediately. If the owner of the livestock is unknown and is not determined within three (3) days, the person who impounds the livestock shall notify the Augusta-Richmond County Animal Control Department of such impoundment, and the Animal Control Department shall transport the livestock as soon as possible to a suitable place and care for it properly, with the owner responsible to Augusta-Richmond County for the feed and care fee for such animal.~~

Replace With:

Sec. 4-1-53. Impoundment of livestock straying.

- (a) It shall be the duty of the Augusta-Richmond County Animal Services Department officers to impound livestock found to be running at large or straying. Owners or operators of a farm may also impound such livestock, provided that the livestock is kept in a suitable place and cared for properly. Such owners or operators shall receive the feed and care fee for such animal.
- (b) If the owner or operator of a farm impounds livestock, it shall be his duty to notify the owner of such livestock immediately. If the owner of the livestock is unknown and is not determined within three (3) days, the person who impounds the livestock shall notify the Augusta-Richmond County Animal Services Department of such impoundment, and the Animal Services Department shall transport the livestock as soon as possible to a suitable place and care for it properly, with the owner responsible to Augusta-Richmond County for the feed and care fee for such animal.
- (c) Owners or possessors of livestock impounded for violation of this article or any state and/or federal laws, will be charged in accordance with actual costs of impoundment, boarding fees and any veterinary costs.

- (d) Impounded livestock shall be held for a period of (15) days. If such impounded animals are not claimed by the owner during that period of time, Animal Services will determine disposition of the livestock.



**Public Safety Committee Meeting
10/13/2014 1:10 PM
Proposed Animal Services Ordinance**

Department: Animal Services

Caption: Motion to approve an ordinance to amend the Augusta, Georgia Code Title Four, Chapter One, Article Two, Section 4-1-16 related to definitions; Section 4-1-19 related to Collar and rabies vaccination required tags; Section 4-1-21 related to Duty of Owners to Keep Animal Under Control; Section 4-1-26 related to Abandonment of Animals; Section 4-1-27 related to Cruelty to Animals; Section 4-1-29 related to Disposal of Dead Animals and Fowl; Section(s) 4-1-36 thru 4-1-50 reserved section related to the creation of new section 4-1-36 thru 4-1-46; to Provide Licensing and Sterilization of Certain Animals; and section 4-1-53 related to Impoundment of Straying Livestock; and to repeal all code sections and ordinances and parts of code sections and ordinances in conflict.

Background: It is the desire of the Augusta Board of Commission to update and improve the Animal Services provisions of the Code applicable to the community. At the request of the Animal Services Staff and the Animal Services Advisory Board, the Commission has been asked to revise certain ordinances to address recent issues in control, enforcement and prosecution which have arisen.

Analysis: None

Financial Impact: None

Alternatives: Deny motion to approve.

Recommendation: Approve motion.

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:

Finance.

Law.

Administrator.

Clerk of Commission



**Public Safety Committee Meeting
10/13/2014 1:10 PM
Agreement with TestDay Corporation**

Department: Clerk of Commission

Caption: Motion to approve agreement with TestDay Corporation to provide third party hosted software and licensing to use TesDay software for the purpose of establishing effective drug screening in the Accountability Court program.

Background:

Analysis:

Financial Impact:

Alternatives:

Recommendation:

**Funds are Available
in the Following
Accounts:**

REVIEWED AND APPROVED BY:
